

Citation for published version:

Gittings, C & Walter, T 2010, Rest in peace? Burial on private land. in J Sidaway & A Maddrell (eds), *Deathscapes: Spaces For Death Dying And Bereavement*. Ashgate, Aldershot.

Publication date:
2010

Document Version
Peer reviewed version

[Link to publication](#)

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Rest in Peace? Burial on Private Land

Clare Gittings and Tony Walter

Ever since the adoption of Christianity in the early Middle Ages, it has been normal for Britain's dead to be buried in churchyards or other Christian burial grounds (Daniell 1998; Jupp and Gittings 1999). From the mid-nineteenth century, but with earlier examples in Scotland, cemeteries (i.e. formal burial grounds not attached to a church) have supplanted churchyards as the most common place of burial (Rugg 1997), augmented in the twentieth century by cremation (Jupp 2006). Private burial on your own land, rather than in churchyard or cemetery, has been and remains rare in Britain. It is, though, legal. The 1850s burial acts that controlled English burial in the name of public health and that still pertain today apply to 'burial grounds', meaning places generally set aside for burial, so the acts do not apply to the occasional grave on private land whose primary use is other than burial (Bradfield 1993).

When burial on private land does occur today, it can be newsworthy – as with broadcaster Johnny Morris and novelist Barbara Cartland, or when objections from neighbours make the local press. Media coverage can give the impression that burial in the garden or elsewhere on the deceased's land is a recent innovation, but it has been practised, if rarely, for several hundred years. Historical research can throw valuable light on private burial, not least because in certain cases it is possible to trace what has happened to such interments over the intervening centuries. While, of course, what occurred in the past cannot be used to predict with certainty the future of present-day private graves, it does at least raise pertinent issues to consider.

In this chapter, we use eighteenth century documentary evidence to inform interviews with some who arranged burial on private land in the 1990s and 2000s. We address two related issues, one spatial (where exactly were or are the graves?), the other temporal (did or will posterity leave them undisturbed?). Spatially, there are three possible locations for a private grave: i) the garden immediately near the house, ii) a more remote part of the garden, and iii) elsewhere on one's own estate or on someone else's land. Where resources allow, the second and third, more liminal, locations were and are preferred, for practical, emotional and symbolic reasons; and historically these graves have proved less likely to be disturbed. Eighteenth century graves were also less likely to be disturbed if the burial had been carried out by more distant relatives. So, the more distant the burial both spatially from the house and socially from next of kin, the more likely the grave will remain secure.

In our research, we examined first the historical material, which raised the possibility of subsequent disturbance, which in turn prompted us to interview some who arrange private burial today to see how concerned they are about the grave's security, and more generally what meaning they give to burying on private land. We found similar spatial choices being made, but very different notions of posterity. We follow the same order in this chapter, starting with the historical study.

First, a note about literature. Whereas there is an emerging research literature on woodland burial (e.g. Clayden and Dixon 2007)¹ and on burial of ashes in the garden and other private places (e.g. Prendergast et al 2006), we know of no academic literature specifically on complete body burials on private land, apart from Walter and

¹ In the UK, woodland burial grounds offer graves for sale in a setting where trees rather than marked graves and headstones form the primary landscape (Clayden 2003).

Gittings (2010) where we report how neighbours react; we explore there the concepts of visible and invisible, public and private, and boundaries between the two. There are two publications providing practical and legal advice for do-it-yourself enthusiasts (Bradfield 1993; Speyer and Wienrich 2003), publications which are also read by funeral directors who may have to advise both families on practicalities and local authorities on legalities. This present chapter is the first attempt to put private burial into historical perspective, and it is to our historical study that we now turn.

The historical study

In a recent historical study of twenty five unusual burials in England between 1689 and 1823 (Gittings 2007), fourteen cases involving death from natural causes entailed the deceased requesting interment on their own private land. It is these fourteen people and their burials, together with two others from 1834, which form the focus of this study. All sources for burials and biographical details are given in the table in Appendix 1.²

In this period, although some radical Protestant believers (but not Roman Catholics) had won the right to set up their own burial grounds, in practice many were still laid to rest in Anglican churchyards (Houlbrooke 1998: 336-7). Burial elsewhere was often associated with epidemics or punishment, both civil and religious, including excommunication. The sixteen people who requested burial on their own property were clearly going against the prevalent practice of their times. So who were they?

All were Protestant, tending toward non-conformity, seeing no need to be buried in consecrated ground. Nine of the sixteen lived well beyond the usual lifespan for the times, making them a distinctly elderly group. All but one were male. Laws which caused a woman's property to pass to her husband on marriage restricted female scope for such innovation at death; indeed, a married woman was not in a legal position even to make a will without her husband's consent before the Married Women's Property Act of 1882. The fifteen men were, or previously had been, employed in a range of different professions. They included a printer, lawyer, soldier, schoolmaster, an Anglican clergyman, an ambassador, two radical political writers, an ironmaster who was a key figure in the industrial revolution, a manufacturer of bricks and tiles, a physician a surgeon and an apothecary. The remaining three were principally landowners, though, from their wills, it is clear that many of the professional men also owned considerable amounts of land. Seven held titles – two were baronets, one was a knight and four were esquires. Their motivation for choosing burial on their own land is sometimes revealed in, or can be inferred from, their wills. Most frequently it was religious, often leading them to campaign against the notion of consecrated ground. Other motives included a fondness for a particular hilltop view, a desire for isolation, strong feelings about remembrance after death, and classical or biblical precedents.

In the following sections we look at whether all sixteen had their wish to be buried on their land met, and if so, whether subsequent generations continued to respect this. To this end, we look carefully at the exact location of the graves, family connections between the dead and the living, the actions of subsequent generations, and predictions about them that did not always prove well founded.

Control

² Quotations reproduce the spelling and capitalization of the original.

So how much control did they have immediately after their deaths? Were their burial requests respected, despite flying in the face of social or religious convention? In fact, only two of the sixteen were not interred according to their wishes. John Horne Tooke, who had forbidden any clergy to visit him, preferring the consolations of Shakespeare in his last days, had his desire for garden burial overruled in favour of churchyard interment. He had already prepared his own grave and black marble inscription in his kitchen garden. Horne Tooke had never married, but his heir was one of his illegitimate daughters who, with other female relatives, decided that he should have Christian burial in his mother's vault in Ealing churchyard. In overriding his wishes they were supported by one of Horne Tooke's closest friends, believing - probably correctly - that his grave would detract from the value of the house if sold and that his body would at that point be moved elsewhere (Bewley 1998).

In the case of William Burnard it is not clear who made the decision not to allow him to lie in the grave he had prepared in his garden in Thame, Oxfordshire. He had made detailed plans for the burial service that he desired, conducted in his schoolhouse by his chosen friends 'according to the dictates of their consciences...in the most solemn manner'. He left his property to his parents so presumably they had some hand in having him interred in Thame churchyard instead.³

Family

Relatives played an important part, not just in determining whether to respect the deceased's wishes for the burial itself but also, subsequently, whether to move the body or let it remain in situ.

All but one of the sample had, unsurprisingly, some reasonably close living relatives whom they mentioned in their wills; Thomas Hollis was unusual among them in having only cousins. He left almost everything, after substantial charitable gifts, to his 'dear friend and fellow traveller Thomas Brand...from whom a severe plan in Life has kept me much more separate from some years past than otherwise I wished to have been'. Quite a number of others in this study had no direct blood descendants or spouses alive at the time of their deaths; indeed several seem never to have married. Table 1 identifies the closest living relatives, as revealed in their wills, for each of the fourteen who initially received their chosen burials. It also gives an indication of whether they were subsequently moved, and when, or whether they remain in situ. Obviously the evidence is more clear-cut when a body has been moved and it is far harder to prove that it has not been. The removals listed here resulted in some record of the event, with date given referring to the initial exhumation of the deceased (several were later moved again). This table shows that those with spouses and/or direct descendants (children, grandchildren) were more likely subsequently to be moved than were those with less direct relatives such as siblings or nephews. **(TABLE 1 HERE)**

All four of those whose bodies were moved within about twenty years of their deaths had surviving children. Of these, apart from the highly unorthodox Wilkinson family discussed later, surviving children seem to have been involved in deciding on the change of burial place and to have chosen the comparative safety of the churchyard for their parents' bodies. It was the death of the surviving parent that precipitated this in the cases of the Carteret Webbs, discussed in detail below, and of John Sheffield who

³ Maddrell (2009: 43) reports another example, from 1845 on the Isle of Man, of a son burying his father in the churchyard rather than in the hilltop grave he had chosen for himself.

was reburied on 16 February 1807 in the churchyard at Downton, Wiltshire, in a joint funeral with his wife (Squarey 1906: 34). However this was not invariably the case; although Alice Liberty outlived her husband by thirty-two years she was nevertheless interred with him beneath the tomb on their estate when she died in 1809, according to the inscription. In the case of Thomas Backhouse, it was his son's return from abroad to live at the Buckinghamshire estate he had inherited from his father which caused the latter's body to be re-interred in the churchyard at Great Missenden, as recorded in the parish register (Arch. and Arch. Soc. 1887-91: 323).

Location

While different family structures were one important factor influencing the fate of these unusual interments, variations in the choice of burial location - a factor more under the control of the deceased - were also significant. Two different groups emerge. There were those who specified burial within the cultivated, horticultural area close to their houses, often naming the specific part of the garden they had chosen and referring to buildings and other manmade features. Jonathan Dent was most precise in his directions to be interred 'about three feet from the Eastern Wall of my Tenant[s]...Cottage and about midway between the Northern and Southern boundaries of my...garden.' Sir William Temple directed that his heart should be buried 'six feet underground on the South east side of the stone [sun]dial in my little Garden at Moreparke'. The other group elected to be buried elsewhere on their wider estates, sometimes deliberately in a bleak spot. Dr William Martyn chose 'the most barren field...in the most elevated part of it' on his Cornish lands to make his point about the futility of burial in consecrated ground. Thomas Hollis made a similar point in Dorset, being buried, according to his biographer, in 'a grave ten feet deep' in a field 'immediately ploughed over that no trace of his burial-place should remain' (Blackburne 1780: 481).

Of the sixteen people in our historical study, nine fall in the garden category (one, as has been seen, just a heart burial) while the other seven chose burial elsewhere on their estates. These numbers are again small, so any conclusions can only be tentative. Nevertheless, some very distinct differences emerge when the long-term outcomes of burial in these two possible places of interment are explored, as in Table 2. **(TABLE 2 HERE)** Even allowing for the small number of cases, this table clearly suggests that those people who chose burial on their wider estates rather than in gardens close to their houses were less likely to have their bodies subsequently disturbed. Further corroboration of this may be found in four more cases from the original twenty-five researched but not part of this study (excluded because they did not die of natural causes and/or they did not request burial on their own land), where the deceased was buried on someone else's estate. These were Peter Labilliere and Richard Hull, each interred on Surrey hilltops, John Olliver who was buried close to his windmill on Highdown, West Sussex, and Samuel Johnson whose grave was in his master's woods in Cheshire (Gittings 2007). In all four cases the deceased seems still to be resting there undisturbed, despite not having owned the land.

Posterity and fate

A range of possible reasons for the better survival of estate burials becomes clearer when we examine in more detail some of the garden burials where the deceased was later exhumed. The aftermath of the death in 1808 of John Wilkinson, the famous

ironmaster and a key figure in the industrial revolution, is a sorry tale, highlighting some of the possible pitfalls of an unconventional approach to both burial and inheritance in the early nineteenth century. An account of his multiple burials and reburials shows how easily the desire for a garden funeral could descend into farce through lack of necessary attention to detail.

Wilkinson himself had prepared for his burial by leaving an iron coffin of his own design and manufacture at each of his principal residences and was happy to be buried in the garden at whichever he happened to die; for him what mattered was his metal coffin. On his death at Castlehead in Lancashire, his body was placed in a wooden coffin but at the funeral it was discovered that this would not fit inside the iron one, so he had to undergo temporary interment until a new wooden coffin arrived. He was then disinterred and it was discovered that there was insufficient depth of soil in which permanently to bury the body, until the rock beneath had been blasted. Finally at the third attempt he was buried and a huge iron monument erected over him in the garden, though he did not stay there undisturbed for long (BBC no date).

John Wilkinson's colourful and eccentric life resulted in him fathering three children in his seventies with his housekeeper, while his childless wife was still alive; he legitimized them only after her death in 1806. One of his nephews had been led to believe he was Wilkinson's heir but now he found himself merely a possible residuary legatee after provision had been made for the housekeeper, with the bulk of the estate destined for the three children. Unwilling to accept this new situation, he contested Wilkinson's will and the case went to the Court of Chancery (Bertould 1995; Matthew and Harrison 2004). While this may have given John's nephew a minor claim to literary fame as the probable model for 'the man from Shropshire' in Charles Dickens's *Bleak House*, it devastated the Wilkinson inheritance, which was spent on lawyers' fees (Bertould 1995). By 1828, just when the children were coming of age and should have inherited, the house at Castlehead had to be put up for sale as little else was left of Wilkinson's once great industrial empire (Bertould 1995; Matthew and Harrison 2004). Fearing that the monument and grave might detract from the asking price, John Wilkinson was disinterred once more and moved, despite his objections to consecrated ground, to Lindale churchyard, with his monument nearby (BBC no date).

Both concern with making money from property and disregard of the religious views of the dead feature in the case of John Baskerville, printer and typographer. He was buried in his garden on the then outskirts of Birmingham in 1775 because of his 'hearty contempt for...the farce of Consecrated Ground', as he wrote in his will. In 1791 his house was burnt in the Birmingham riots, through the body remained in situ. By 1820 demand for building land to accommodate Birmingham's burgeoning population made the presence of a grave an undesirable impediment to builders' profits and Baskerville's body in its lead coffin was removed. Instead of re-interment, the sealed coffin was sold to a plumber and kept in his shop for some years (Matthew and Harrison 2004). In May 1821 the coffin was opened and sprigs of laurel and bay were seen on Baskerville's body (Pardoe 1975: 149). In 1829 coffin and body were placed in the vault of Christ Church Birmingham without any form of ceremony. Even this was not his final resting-place as the church was demolished and in 1898 he was placed beneath the chapel, itself later destroyed, in an Anglican cemetery in Birmingham, remaining to this day in the consecrated ground he so despised (Matthew and Harrison 2004).

The events following Susanna Carteret Webb's interment in 1756 at the age of forty-five were worthy of any modern soap opera. She was laid to rest in a cave, possibly following classical or biblical precedents, in the garden of the Surrey property where she had lived with her husband and son. The year after her death, a visitor was shown her coffin, covered in black velvet with silver fittings, near those of two of her infant children, by her grieving widower Philip. He said that he went there daily and was planning to join her there on his death (Larner 1947: 18). However, only a year later, he remarried, this time choosing a much younger woman, Rhoda Cotes, born in 1730, the year in which he and Susanna had married. In his will, made shortly before his death in 1770, he left everything to her 'whatsoever wherever and of what nature kind or property soever', making Rhoda 'sole executrix'; his and Susanna's surviving son, also called Philip, was not mentioned. On his father's death, the younger Philip had the bodies removed from the cave to Godalming Church. He also transferred the lengthy and affectionate monument composed by his father in his mother's memory as a memorial to both of them, reunited in death. This proved to be a wise action. Fourteen months later Rhoda married again and within five years the family's substantial wealth had been so exhausted that the house and grounds had to be sold off (Larner 1947: 17-19).

In some instances where a very long time had elapsed between the initial burial and the exhumation and reburial, it is not now possible to discover exactly when or by whom the body was moved, nor is its final resting place necessarily marked. The Revd Langton Freeman's reinterment is a case in point. Freeman requested an interment emulating '...as near as may be...our Saviours Burial'. He directed that his shrouded body be laid on a bed in his summerhouse - sealed against intruders - in his Northamptonshire garden. This duly happened in 1783 and his nephew inherited the property. Remarkably, Freeman's body was still there in the early 1880s although the summerhouse was by then in poor repair (Notes and Queries 1880: 106). Between then and 1908 the body was moved to the churchyard and by the 1970s what remained of the building was so dilapidated it had to be demolished (Undertakers' Journal 1908: 211; Haynes 1988: 19).

Mistaken assumptions

So what did these various testators do to try to ensure their burials would remain undisturbed for eternity, or at least until the Resurrection? Hindsight, revealed in Table 2, might suggest that they would have been well advised to concentrate on the location of their burials, choosing remote spots away from houses, in areas unsuitable for urban expansion. However, while most of these testators mentioned choice of location in their wills, it was never in terms of the interment's long-term survival but for a range of other reasons. Instead, they focused on inheritance of the property to secure their earthly resting-place. In doing so, they made at least two assumptions about the future which, unfortunately for many of them, rested on extremely shaky foundations.

The first was a belief that their family line would continue indefinitely, an odd assumption by men who had not themselves fathered children. A number without direct descendants tried to make their familial relationship with their heir closer by forcing them to change their names. Two of those leaving their land to nephews, Henry Parsons and Jonathan Dent, required them to take their uncle's surname. John Wilkinson had already required the same of his illegitimate children, while his litigious nephew also chose to take the surname Wilkinson to help advance his claim to inherit (Bertould

1995: 4). Others made elaborate plans for how the property was to pass down to subsequent generations, especially in the event of any unexpectedly early deaths in the family. William Burnard possibly had more cause than most to do this in his will, as his initial beneficiaries were his parents. The property was then to pass to his sister and after her death to his nephew ‘now aged about twenty years...Subject to this Condition that he shall not sell mortgage or dispose thereof.’ In the case of Henry Parsons, his will directed that his nephew and heir, John White, should disinherit his own eldest son Henry in favour of a younger sibling if he should be ‘disobedient’ and lead ‘a bad Course of life’. Sir William Temple was unusual among them all in being able to bequeath property in his will as far ahead as his great-grandchildren.

However, even a passing acquaintance, as surely these gentry families had, with the history of the British monarchy and aristocracy from 1500 onwards would suggest that a stable family line of descent was not so easy to guarantee, as Henry VIII found to his cost when trying to found a lasting Tudor dynasty, and this pattern did not just apply to royalty. Any significant improvements in the infant mortality rate or, indeed, any infertility treatment, were not to occur until the twentieth century (Jupp and Gittings 1999).

Another major assumption made by the testators in this study is that the links between a family, its wealth and the land it owned would remain forever unbroken; the home-loving Sir William Temple even willed that his house be preserved forever unchanged. Again, detailed historical examination suggests that these bonds were not always quite so strong even in the early modern period as contemporaries may have liked to believe (Stone 1965: 156-164). Indeed, many of the families appearing in this research had been able to acquire the economic position that they enjoyed at least in part as a result of earlier land mobility. The fortunes of the Carteret Webbs and the Wilkinsons described above show just some of the forces that could part a family from its wealth and land. As a blueprint for the future these assumed links between family, land and wealth were increasingly out of date. This became particularly evident during the agricultural slump of the later nineteenth century and its aftermath when land lost considerable value. So much changed hands between 1880 and 1930 that it has been likened to the two other great land upheavals in English history – the dissolution of the monasteries and the Norman Conquest (Cannadine 1990: 90-103).

It perhaps is therefore not surprising that so few of those buried in all but the most remote locations on their land are still in situ. When Jonathan Dent willed that his heir ‘must pay every attention to...keeping such garden in a proper state as a place of Memorial for the dead’, he could only state a wish, not definitively shape the future. Substantial economic and historical forces, increasing in strength over the decades, were at work against him and others buried in their gardens. Indeed, all this makes the survival of Dent’s grave quite surprising. It can only be imagined, however, what this elderly Quaker would have thought about estate agents advertising on the web, in January 2007, through the Home Sale Network, the presence of his tomb as a selling point for his former house and garden.

If location of the grave and the role of descendants strongly influenced whether these graves continued undisturbed, what about today? Are similar factors still influential? And what factors are important for those arranging burial on private land today?

The contemporary study

In 2008, through contacts in the Natural Death Centre (which promotes family organised funerals and natural burial),⁴ we conducted unstructured interviews with five people who had arranged private land burials in Britain in the preceding fifteen years (Appendix 2). It turned out that they all had buried not in their own garden, but on a piece of uncultivated or marginal agricultural land, adjacent to their garden or at a distance, in some cases owned by themselves and in some cases not – comparable to what Table 2 terms ‘estate’ rather than ‘garden’ burials. These are not so much garden burials as field burials.

Three of the interviewees live in Scotland, which from its Calvinist Reformation in the sixteenth century ‘did not recognise one piece of ground as being more holy than another’ (Spicer 1997: 177), making possible long before England the development of cemeteries, and thus at least the possibility of family burial grounds away from the kirk. We are unsure whether this different history means that private burial is today less deviant in Scotland than in England.

Two of our interviewees had buried their husband, two their wife, and one an uncle and then her mother – in total, three men and three women. In two instances, other burials on the same land were mentioned (of a friend, and a cousin), but not described in any detail. So unlike the historical sample which included a number who had never married, the modern interviews were predominantly with widows and widowers. None mentioned that home burial had been stipulated in a will, and it is too early to know if any will be disinterred and moved. Comparable to the eighteenth century sample, they are middle to upper class with access to land, but with left/green politics. Aged from their thirties to sixties, with spouses having met untimely deaths in youth or middle age, they are more youthful than the historical sample.

Following earlier experience of interviewing people about funerals where they requested we not anonymize the dead whom they wished to memorialize (Walter 1990), our interviewees consented to our proposal to use the deceased’s real names. Four of the five (Global Ideas Bank; Hale 2005; Johnston 2004; Speyer 2001) had in any case published short articles about the funeral.

An interview was also conducted with a ‘green’ funeral director who described four home burials; these involved the burial of a son, an uncle, a grandfather, and a lesbian commune member; those of the son and uncle were in the small gardens of ex-council houses. In addition, there are a number of published accounts of garden burial, for example Speyer and Wienrich (2003: 95-103) and Garrett (2001). We draw on these as well as the interviews. As in the eighteenth century, with no data available on the total number or character of garden and estate burials, it is impossible to know in what respects any sample, let alone our very small sample, is or is not representative.

Clear contrasts with the historical sample emerge: the modern cases rarely make assumptions about the continuity of their family line, nor are they really concerned about the grave’s long-term security. For most, burial on private land is part of a desire to control the funeral; posterity can take care of itself. The one similarity with the historical sample is that those buried on land outside the immediate garden, especially if it is owned by someone less close than a widow or widower, may well have a better chance of remaining there undisturbed. We will now explore these and related themes, including nature, home, family, personal choice and control.

⁴ <http://www.naturaldeath.org.uk/> [accessed 7.7.09]

Planned or unplanned?

In some instances, husband and wife had discussed their desire to be buried on their own land, but in others there was no such pre-existing thought, let alone plan, but a piece of land belonging to someone else became available after the death. When Richard Hale's wife Angela died suddenly at the age of 56, he considered buying a plot in a woodland burial ground but could not find one that felt right, and after consultation with a green funeral director and a Unitarian minister, it occurred to him that an organic farmer from whom he and Angela had bought produce might be able to help. Arrangements rapidly fell into place.

Heather Johnston's cousin wanted a woodland burial for her father, but the nearest site was too expensive and too far away. Heather and her husband had already agreed that Heather's mother, when she died, would be buried in the field next to their cottage. So they offered to include Heather's uncle, who then became the first burial in their field.

Control

Though we conducted the interviews because we wanted to know about the burial site, interviewees spoke at considerable, and to us unanticipated, length about the funeral. It thus became clear that for several interviewees burying on their own, or a friend's, land was part of a passionate desire to control the funeral themselves, rather than have it controlled by strangers (however green their credentials). This is confirmed by a journalist who has interviewed a number of people who have arranged a garden burial (Garrett 2001), and by the funeral director we interviewed who spoke of the two ex-council house garden burials and the burial of the commune member. Choosing the precise grave site, digging the grave, arranging the various parts of the ceremony, having friends and family rather than professionals provide the venue, play the music and speak at the funeral – these were what our interviewees recollected with great fondness:

I've only been to one green burial, and you really couldn't fault them in any way. It's just that the grave was dug, it was determined for them, you couldn't determine it yourself... We did it in our own way, in our own place, under our own auspices... It's a bit like we had a home birth.
(Josefine Speyer)

Their passion to control the funeral contrasts with our interviewees' implicit lack of concern about the long-term security of the grave, something they typically failed to mention, unless and until we asked them.

Home

Wanting to be buried at the home where the deceased had lived all his or her life, or had lived with the survivor all their married lives, was a commonly stated motive.

We lived there all our lives... We both wanted to be buried on our land... At the entrance (to the burial site) I have a poem written on a bronze plaque, which I wrote, saying 'This is where we lived our lives, this is where we gladly died.' (Robin Crichton)

He was 100, and he was the great granddad of the family, living on the farm, and you know he just didn't want to leave, he'd lived there all his

life; wanted to stay close to the family, and the family were wanting that as well. (Funeral director)

In 1989, Johnny Morris buried his wife Eileen 'at the bottom of the four-acre garden they loved, and for the rest of his life visited her grave every evening to tell her about the day's events.' (Derby Dead 1999)

Nature

An equally commonly cited, and in some cases related, motive is the desire to be buried in a natural setting. As in the eighteenth century, this might entail burial in the garden, or in a field, wood, or other site detached from the dwelling. Such sites could be part of an estate in an eighteenth century sense. More often, they comprise a field adjacent to the house, or a piece of land some distance away that had been purchased by the couple, or farmland owned by a friend. The natural beauty of the site was mentioned in several cases, and in the one site we ourselves visited - in the Peak District national park - we can confirm its remarkable beauty. This amplified the appropriateness of this particular site, for Angela Hale was a climber who had loved the hills, more at home there even than in her beautiful suburban garden. All our interviewees were lovers of nature and of the countryside.

If we combine the themes of home and nature, as several who have arranged home burial do, then it is clear that the grave site is very different from the artificial environments maintained by strangers that comprise the typical cemetery or churchyard. We may note, as did Josefine Speyer, a comparison with the natural childbirth movement which also combines the key symbols of home, nature and choice; also with the natural death movement which recasts dying as a natural rather than medical event and promotes choice and dying at home rather than in hospital (Speyer and Wienrich 2003; Walter 1994). Of course, the motif of nature is also central to the commercially-run woodland burial grounds that have proved surprisingly popular in the UK since the early 1990s, but combining the motif of nature with the motifs of home and/or control is what drove our interviewees to bury on their own or a friend's land. That a commercial woodland burial ground could guarantee the long-term security of the grave, whereas they could not, did not seem to concern them.

Family

Apart from Catherine Maxwell Stuart, the twenty first laird of a stately home owned by her family for many centuries, our modern interviewees demonstrated little sense of belonging to a family that exists over many generations. Their choice of burial on private land was a matter between them and their spouses, a product of the modern conjugal family rather than the eighteenth century propertied family line. When a mother, uncle or cousin was buried on the site, this followed the original intention of spousal burial. Robin Crichton spoke of a longer term, stating confidently that 'the children will certainly all want to go in there', yet added 'but if it dies out, it dies out. But the graves will stay there.' Even Catherine Maxwell Stuart spoke about her first husband's grave on a hill overlooking the house in terms of personal choice, preferring it both to the long-disused family crypt in the local church and to a family burial aisle in a chapel several miles away where her father and grandfather are buried. This is no standard aristocratic mausoleum in which successive generations can expect to be placed (Colvin 1991). Rather, she spoke of the grave as 'a really lovely spot, with a really nice panoramic view, very nice, partly private.'

Our eighteenth century characters who willed a garden burial, living and dying within the context of an inter-generational family rooted in property, could be characterized in retrospect as having been in the vanguard of the steady rise of individualism in the early modern period (Gittings 1984), but might have been regarded by their contemporaries as eccentric. Our modern arrangers of private land burial, both those we interviewed and those reported in other literature, live in a different world. Primarily they are autonomous, self-acting late modern individuals, operating within a context of a one- or at most two-generation family. Indeed, they are motivated more by spousal love than by individualism, and not at all by any sense of transgenerational family line. They are not eccentrics, they are simply modern individuals who have invested in the intimacy of spousal love (Giddens 1993), taking to the grave values that are central to late modern society, assisted by, in the case of at least one of the ex-council house owners, bloody mindedness, and in the case of our middle to upper class interviewees access to land outside the immediate house and garden. And as late modern individuals who have invested in the (at most) two-generation nuclear family, they are not fooled, as were their eighteenth century forebears, by out-of-date notions of a stable line of family descent.

But they might be fooled by conjugal love. Two hundred years ago, garden graves entrusted to the care of children might fall foul of subsequent lack of finance or lack of care. So today, private land burial motivated by spousal love might prove vulnerable to the potentially lesser loves (or lesser finances) of children or grandchildren. Some of today's private graves, however, are not of the landowner's spouse, but include more distant relatives or even – in the case of Angela Hale – a mere acquaintance of the landowner. If such graves do not require the landowner's spousal love for their creation, they may not require it for their long-term maintenance, and may stand a better chance of long term security. We provide two examples of this (Heather Johnston, Angela Hale) in the next section.

Land ownership

So what plans did the moderns make to secure the grave site in future generations? Little or none. Some had plans for their children to take over the land, but no plans beyond that. Some had ideas as to how ownership and use might develop, for example, as an unofficial nature reserve or a special place for family celebrations and personal contemplation, but they acknowledged they could not control the future.

There is a general assumption that the presence of a grave in a domestic garden will reduce the value of the house, though this has been disputed by some estate agents (Derby Dead 1999), and we have already noted that Jonathan Dent's historic garden grave was featured in an estate agent's 2007 advertisement for the house. Nevertheless, there is a risk that the presence of a recent garden grave could impede subsequent sale of the house - so what safeguards might be made?

Some with large gardens chose a site away from the house with independent access, so it could be retained by the family if and when the time came, whether sooner or later, to sell the house and the rest of the garden. The Natural Death Centre report one widow, who after the sudden death of her husband, asked her lawyer 'to set aside a part of the large back garden for the grave, with its own access, so that this part would not be sold with the rest of the house and grounds' (Speyer and Wienrich 2003: 96). However, this strategy is not foolproof.

One couple in their nineties (chose) a spot for burial on the edge of their ten-acre garden where their beloved boxer dogs were buried, with a way to reach the graves from the public footpath, in case the remainder of the property were later to be sold by the family... They felt prepared for their deaths, but their plans were cruelly disrupted when increasing disabilities forced them to move to a residential home, and to sell their home to cover the costs. (Speyer and Wienrich 2003: 101)

The other strategy, similar to eighteenth century estate burial which we have seen was less likely than garden burial to be followed by exhumation, is to bury on a plot entirely separate from the domestic garden, i.e. in a separate field or wood. If this land is agriculturally marginal, and not suitable for housing, it is a reasonable supposition that future farmers will have no problem with one or two unmarked graves. Heather Johnston spoke of the field next to her cottage that now contains her uncle and mother:

We've actually done a bit more thinking about it and what we're *probably* going to do is sell it to the farmer, because we know he's quite respectful of the graves; he does graze his sheep on it, and he's also a guy with a lot of integrity and he has got children, he has lads in their twenties who are farming it, so it will continue in his family.

Angela Hale was buried on a tiny flat area on an otherwise steep hillside on an acquaintance's farm in the Peak District. A year later, the farm was sold. The original owner told us 'When it came to selling, the grave didn't put anybody off, as far as I'm aware.' The new owner confirmed this to us, adding 'If it ever became an issue with a future purchaser, I'd go out of my way to tell him that it is absolutely no problem.' Marginal agricultural land already owned and farmed by someone outside the family is probably as good a sign as any that future owners will respect the grave. Assuming that children and grandchildren will sustain ownership can in some cases be as questionable today as it was two hundred years ago.

Conclusion

The advice that those contemplating garden burial may draw from the examples given in the Natural Death Handbook (Speyer and Wienrich 2003: 95-103) is twofold. First, those wishing to bury in the garden should pick a spot that can be legally detached and retained in family ownership, should the house be sold. Second, however, the grave will be more secure if the family have access to a separate plot of agricultural land. From our limited survey of those who recently have arranged private burial, we would concur with this, and the evidence from two centuries ago confirms this: those buried on the estate, rather than in the garden, were more likely to stay put.

We would add two more things. First, both historical records and interview evidence suggest that land of little other than aesthetic use may be particularly suitable for private burial. In two of our interviews, what seemed a suitable spot to the landowner (away from the house, of little agricultural or other economic value, but accessible for a mechanical digger and a pedestrian funeral procession) proved also both of great beauty and unlikely to be disturbed by contrary future interests. Second, if the original landowner is not closely related to the deceased, it is likely that subsequent landowners may be willing to continue with the arrangement. This too is supported by historical evidence that land ownership passing to the deceased's children and grandchildren can threaten a grave's security.

Bradfield's guide to do-it-yourself burial (1993: 33) observes that Britain is the only European country that does not re-use graves. He also notes that regular grave visiting in Britain often ceases after ten or fifteen years (Clegg 1989), the time at which in other countries the grave might be re-used. He raises the intriguing possibility that exhumation of a garden grave on selling the house, followed by placing the remains in a more permanent public burial site, far from being problematic as other British writers on private burial assume, has precedents in cultures around the world (Hertz 1960) and could be psychologically appropriate for the family. Grief can entail both a continuing bond with the dead and a letting go, a continuing presence and a manifest absence (Klass et al 1996), and garden burial of the body followed some years later by public re-burial of the bones could express this well. Given that British law and culture militate against re-burial, however, this particular option is highly unlikely to be taken up, leaving concern for the long-term security of graves as a distinctly British issue. Fortunately for our interviewees - modern British individualists driven by conjugal affection rather than a desire to control posterity - it is not one with which they are overly concerned.

Acknowledgements

We thank those who generously agreed to be interviewed, and the staff of the many Record Offices and Local Studies Libraries who have answered our enquiries and sent photocopies with unfailing patience. Many individuals have generously shared their expertise, including Paul Grantham, Teresa Laden, Malcolm Ramsay, Lesley Rivett and several members of the Natural Death Centre. Any remaining mistakes or omissions are entirely our responsibility.

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nd = no date

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Appendix 1: Wills and other key sources (1689-1834)

Abbreviations:

Cat. = Catalogue

DNB = Oxford Dictionary of National Biography

HALS = Hertfordshire Archives and Local Studies

nd = no date

Pers. Comm. = Personal Communication

RO = Record Office

<i>Name, date, place of residence (and burial place, if different). Places now in London given as [London].</i>	<i>Will, occupation (National Archives PCC, unless otherwise stated)</i>	<i>Other key source(s), mainly biographical (for full details see References)</i>
Thomas Backhouse Esq., c.1720-1800, Haversfield, Gt Missenden, Bucks.	Prob 11/1344 'an old soldier'.	Arch. & Arch. Soc., Bucks., 1863: 147-9 and 1887-91: 322-3.
John Baskerville, 1706-1777, Easy Hill, Birmingham.	Prob 11/1005 Printer and typographer (DNB).	DNB; Pardoe, 1975.
William Burnard, c. 1788-1834, Thame, Oxon	Oxfordshire RO Pec 59/2/31 Schoolmaster	Oxfordshire RO Transcript (1993) Thame Parish Register.
Jonathan Dent Esq., c.1744-1834, Winterton, Lincs.	Prob 11/1839 Landowner	Andrew, 1836: 19-22.
Revd Langton Freeman, 1710-1783, Whilton, Northants.	Prob 11/1112 Clerk [in Holy Orders].	Longden, 1938: 5, 127-9; Haynes, 1988: 19.
Thomas Hollis Esq., 1720-1774, Lincoln's Inn [London]. (Corscombe, Dorset).	Prob 11/994 Political propagandist (DNB).	Blackburne, 1780: 481.
John Horne Tooke,	Prob 11/1532	Inscription etc in

1736-1812, Wimbledon, Surrey (Ealing, Mx.).	Radical and philologist (DNB).	Bewley, 1998: 268- 71; DNB.
Richard Hull Esq., c.1689-1772, Leith Hill, Surrey.	Prob 11/975 Bencher of Inner Temple and Irish MP (inscription).	Rowe, 1895: passim.
Sir John Jocelyn, Bart., 1689-1741, Hyde Hall, Essex.	Prob 11/713 Barrister (Morris, nd).	Morris, nd: HALS, Gerish Collection; Sawbridgeworth WEA, 1969.
Samuel Johnson, 1690/1-1773, Gawsworth, Cheshire.	No will. Dancing-master and playwright (DNB).	DNB; Inscription in Richards, 1974: 229.
Major Peter Labilliere, d. 1800, Dorking, Surrey (Box Hill, Surrey).	No will.	<i>Gent's Mag.</i> , 1800: 693; his papers discussed in Grantham, nd.
William Liberty, c.1724-1777, Chorleywood, Rickmansworth, Herts. (Flaunden, Herts.).	Prob 11/1031 Tile maker (will). Brickmaker (inscription).	Inscription in Arch. & Arch. Soc., Bucks., 1863: 150; Location in Chilterns Conservation Board, 2002.
William Martyn, c.1700-1762, Plymouth, Devon (Botus Fleming, Cornwall).	Prob 11/887 Physician.	Inscription in his will.
John Olliver, 1709- 1793, Highdown, Goring, Sussex.	W. Sussex RO STCI/44/437 Miller.	Fox-Wilson, 1987; Horsfield, 1835, <i>II</i> : 138; Simpson, 2005: 189- 200.
Henry Parsons Esq., c.1710-1794, West Camel, Somerset.	Prob 11/1310.	<i>Notes and Queries</i> , 1897: 158.
John Sheffield, c.1749-1798, Downton, Wilts.	Prob 11/1309 Surgeon and apothecary.	Squarey, 1906: 34-5; <i>Notes and Queries</i> , 1897: 158.
Sir William Temple, Bart., 1628-1699, Moor Park, Farnham, Surrey (Westminster	Prob 11/450 Diplomat and author (DNB).	DNB.

Abbey; Moor Park, Surrey).		
Sir James Tillie, 1645-1713, Pentillie Castle, Cornwall.	Prob 11/537.	Baring-Gould, 1915: 25-33; Maus. & Mons. Tr., nd; Cornwall RO Cat. 'Coryton'.
Susanna Carteret Webb, c.1711-1756, Busbridge, Godalming, Surrey.	Married woman, not eligible to make a will.	Inscription in Manning and Bray, 1814, 3: cxliv; letter, in Larner, 1947: 17-19.
John Wilkinson Esq., 1728-1808, Castlehead, Cartmel, Lancs.	Prob 11/1483 Ironmaster.	DNB; Berthoud, 1995: 3-7; BBC, nd.

Appendix 2: Interviewees (2008)

Robin Crichton buried his wife Trish (and subsequently a cousin) in a wood at the far end of the field adjoining their house.

Heather Johnston buried her uncle and mother in the field adjoining their cottage.

Richard Hale buried his wife Angela on the farm of an acquaintance.

Catherine Maxwell Stuart buried her first husband, John Grey, on a hill on their estate.

Josefine Speyer buried her husband, Nicholas Albery, in a piece of land they jointly owned with others, and in which there had been one previous burial.

Table 1: Long-term outcomes for burials on the deceased's own land: those with spouse or direct descendants (children/grandchildren), compared to those without (n=14)

<i>Name and date of death</i>	<i>Survivor's relationship to deceased</i>	<i>Burial still in situ or moved</i>
<i>With spouse or descendants</i>		
Thomas Backhouse, 1800	Son	Moved 1807
John Baskerville, 1777	Wife	Moved 1820
William Liberty, 1777	Wife and daughter	In situ
John Sheffield, 1798	Wife and children	Moved 1807
Sir William Temple, 1699 (only heart buried in garden)	Granddaughter and great-grandchildren	In situ
Sir James Tillie, 1713	Wife	Probably in situ
Susanna Carteret Webb, 1756	Husband and son	Moved 1770
John Wilkinson, 1808	Mistress and their children	Moved 1828
<i>Without spouse or descendants</i>		
Jonathan Dent, 1834	Nephew	In situ
Revd Langton Freeman, 1783	Nephews	Moved between 1880 and 1908
Thomas Hollis, 1774	Cousins	In situ
Sir John Jocelyn, 1741	Brother	In situ
William Martyn, 1762	Sister	In situ
Henry Parsons, 1794	Nephew	In situ

Table 2: Garden versus estate burials: the long-term outcomes of requests for burial on the deceased's own land (n=16)

<i>Name, date of death and county/place of burial</i>	<i>Long-term outcome: still in situ, burial refused, or body moved, with date</i>
<i>Requested burial in their gardens</i>	
John Baskerville, 1777, Birmingham	Moved 1820
William Burnard, 1834, Oxfordshire	Burial refused 1834
Jonathan Dent, 1834, Lincolnshire	In situ
Revd Langton Freeman, 1783, Northamptonshire	Moved between 1880 and 1908
John Horne Tooke, 1812, Surrey	Burial refused 1812
John Sheffield, 1798, Wiltshire	Moved 1807
Sir William Temple, 1699, heart only buried in garden, Surrey	In situ
Susanna Carteret Webb, 1756, Surrey	Moved 1770
John Wilkinson, 1808, Lancashire	Moved 1828
<i>Requested burial on their estates</i>	
Thomas Backhouse, 1800, Buckinghamshire	Moved 1807
Thomas Hollis, 1774, Dorset	In situ
Sir John Jocelyn, 1741, Essex	In situ
William Liberty, 1777, Hertfordshire	In situ
William Martyn, 1762, Cornwall	In situ
Henry Parsons, 1794, Somerset	In situ
Sir James Tillie, 1713, Cornwall	Probably in situ